

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

STEVEN L. RAY,

Petitioner

v.

SCOTT FINLEY, WARDEN,

Respondent

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CIVIL NO. 3:19-CV-0988

(Judge Caputo)

O R D E R

AND NOW, this **29th** day of **OCTOBER 2019**, it is **ORDERED** that:

1. The petition for writ of habeas corpus pursuant to [28 U.S.C. § 2241](#) (ECF No. [1](#)) is dismissed without prejudice to any right Mr. Ray may have to assert his Eighth Amendment and Due Process claims in a properly filed *Bivens* action.
2. Mr. Ray's motions for compassionate release (ECF Nos. [17](#) and [24](#)) are dismissed without prejudice to any right he or the BOP may have to file such motions with the sentencing court.
3. Mr. Ray's motion to require the Government to file a response to his Rule 35 request (ECF No. [21](#)) is denied.
4. Mr. Ray's Emergency Motion (ECF No. [31](#)) is denied.
5. Mr. Ray's motion for a hearing and order to show cause (ECF No. [32](#)) is denied.
6. The Clerk of Court is to close this case.

/s/ A. Richard Caputo

A. RICHARD CAPUTO
United States District Justice